



# HOUSE BILL No. 4851

September 23, 1999, Introduced by Reps. Richner, Law, DeWeese, Ehardt, Julian, Daniels and Schauer and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 10103a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1        SEC. 10103A. (1) IF ALL OF THE FOLLOWING CIRCUMSTANCES  
2 EXIST, THE FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZATION  
3 OPERATING IN THIS STATE SHALL COMPLY WITH SUBSECTION (2):
- 4        (A) A GIFT OF A VASCULAR ORGAN IS MADE UNDER THIS PART WITH-  
5 OUT SPECIFYING A DONEE OR A SPECIFIED DONEE REJECTS A GIFT OF A  
6 VASCULAR ORGAN MADE TO THAT DONEE UNDER THIS PART.
- 7        (B) THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY HAS  
8 JURISDICTION OVER THE ALLOCATION OF THE GIFT DESCRIBED IN SUBDI-  
9 VISION (A).
- 10       (C) A SPECIFIED DONEE IN ANOTHER STATE DOES NOT EXIST AS A  
11 RESULT OF A RECIPROCAL ORGAN-SHARING ARRANGEMENT WITH A FEDERALLY

1 DESIGNATED ORGAN PROCUREMENT ORGANIZATION OPERATING IN ANOTHER  
2 STATE.

3 (2) THE FEDERALLY DESIGNATED ORGAN PROCUREMENT AGENCY  
4 DESCRIBED IN SUBSECTION (1) SHALL ATTEMPT TO FIND A SUITABLE  
5 DONEE IN THIS STATE BEFORE OFFERING THE VASCULAR ORGAN TO A DONEE  
6 IN ANOTHER STATE.

7 (3) AS USED IN THIS SECTION:

8 (A) "FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZATION"  
9 MEANS AN ORGANIZATION THAT IS DESIGNATED BY THE UNITED STATES  
10 DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH CARE FINANCING  
11 ADMINISTRATION OR ITS SUCCESSOR, TO PERFORM OR COORDINATE THE  
12 PERFORMANCE OF SURGICAL RECOVERY, PRESERVATION, AND TRANSPORTA-  
13 TION OF HUMAN ORGANS, AND THAT MAINTAINS A SYSTEM FOR LOCATING  
14 PROSPECTIVE RECIPIENTS FOR AVAILABLE ORGANS.

15 (B) "RECIPROCAL ORGAN-SHARING AGREEMENT" MEANS AN AGREEMENT  
16 WITH A QUALIFIED FEDERALLY DESIGNATED ORGAN PROCUREMENT ORGANIZA-  
17 TION OPERATING IN ANOTHER STATE, THE PURPOSE OF WHICH AGREEMENT  
18 IS TO SERVE THE BEST INTERESTS OF THE PEOPLE OF THE STATE OF  
19 MICHIGAN.

20 (C) "VASCULAR ORGAN" MEANS THE HEART, LUNGS, KIDNEYS, LIVER,  
21 PANCREAS, INTESTINE, OR ANY OTHER ORGAN THAT REQUIRES THE CONTIN-  
22 UOUS CIRCULATION OF BLOOD TO REMAIN USEFUL FOR TRANSPLANTATION  
23 PURPOSES. AS USED IN THIS PART, VASCULAR ORGAN DOES NOT INCLUDE  
24 HUMAN TISSUE, BONES, OR CORNEAS.